

DEPARTMENT OF STATE
THE LEGAL ADVISER

R (96)

~~CONFIDENTIAL~~

October 30, 1962

MEMORANDUM

TO: U - Mr. Ball
FROM: L - Leonard C. Meeker
SUBJECT: Assurances on Cuba

Attached are seven different forms in which assurances related to the security of Cuba might be cast.

Alternatives A and B are based on relevant provisions in the Charter of the Organization of American States.

Alternative C is based on Article 2, paragraph 4 of the Charter of the United Nations.

Alternative D is premised on some parallel undertakings by Cuba against the export of revolution by subversion, and it is designed to cover the problem of Cuban refugees.

Alternative E is based on the President's Press Conference Statement of September 13, 1962.

Alternatives F and G are based on the exchanges of letters between the President and Khrushchev on October 27 and 28th, 1962.

Attachments.

DEPARTMENT OF STATE, A/CDC/MR
REVIEWED BY John DATE 4-6-88
() REFERENCE () DECLASSIFY
() EXEMPT () DECLASSIFY in PART
() DENV () Non-responsive info.
FOI, EO or PA exemptions _____ TS authority to:
() CLASSIFY as _____, OADR
() DOWNGRADE TS to () S or () C, OADR

L:LCMeeker/ej4

CONFIDENTIAL

ALTERNATIVE B

October 26, 1962

DECLASSIFIED
DECLARATION ON CUBA

¹
The Hemisphere¹ community of the American Republics is
based on adherence to ~~the~~ Principles set forth in Article
5 of the Charter of the Organization of American States. These
principles include the condemnation of aggression; good faith
in the relations between States; international law as the standard
of conduct in reciprocal relations; and a declaration² that inter-
national order consists essentially of respect for the personality,
sovereignty and independence of States, and the faithful fulfill-
ment of obligations derived from treaties and other sources of
international law. The United States regards these principles
as the foundation of its policy in relations with the other
American Republics. It is the desire and purpose of the United
States that the relations of this country with Cuba, as with
other members of the Organization, shall be founded in a mutual
respect for and observance of the Principles set forth in its
Charter.

DECLASSIFIED

October 26, 1962

DECLASSIFIED
DECLASSIFIED ON CUBA

The United States considers of the utmost importance the obligation undertaken by all Members of the United Nations to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Charter of the United Nations." Equally, members of the community of nations are bound to refrain from other forms of aggression or interference in the affairs of other states. On a basis of reciprocal respect and observance, the United States declares its adherence to these principles ^{the} in relations between Cuba and the United States.

DECLASSIFIED

DECLASSIFIED

October 22, 1974

As a member of the Organization of American States, the United States is guided in its policies by the principles set forth in the Charter of the Organization adopted at Bogota in April 1948. The United States attaches particular importance to the following declaration contained in Article 3 of that Charter: "International order consists essentially of respect for the personality, sovereignty, and independence of States, and the strict and faithful fulfillment of obligations derived from treaties and other sources of international law."

The United States Government takes cognizance of the statement of the Government of Cuba of _____, setting forth commitments by Cuba to fulfill faithfully its international obligations and in particular to refrain from any actions in relation to other American Republics which would contravene obligations set forth in Articles 7, 12, and 15 of the Charter of the Organization of American States. It is understood that discharge by the government of an American Republic of its obligations under that Charter includes appropriate measures with respect to actions by persons within its jurisdiction, in accordance with the requirements of international law.

Taking note of the aforementioned statement of _____, and in conformity with the declaration contained in Article 3 of the Charter of the Organization of American States, the United States Government affirms that its policy is to accord a sympathetic regard for the sovereignty, territorial integrity, and political independence of all the American Republics, including Cuba, respecting in relation to Cuba respect and faithful fulfillment of obligations.

DECLASSIFIED

TRANSCRIBED PAGE FOLLOWS

CONFIDENTIAL

ALTERNATIVE D

October 27, 1962

As a member of the Organization of American States, the United States is guided in its policies by the Principles set forth in the Charter of the Organization adopted at Bogota in April 1948. The United States attaches particular importance to the following declaration contained in Article 5 of that Charter: "International order consists essentially of respect for the personality, sovereignty, and independence of States, and the faithful fulfillment of obligations derived from treaties and other sources of international law."

The United States Government takes cognizance of the statement of the Government of Cuba of _____, setting forth undertakings by Cuba to fulfill faithfully its international obligations and in particular to refrain from any actions in relation to other American Republics which would contravene obligations set forth in Articles 7, 11, and 15 of the Charter of the Organization of American States. It is understood that discharge by the government of an American Republic of its obligations under that Charter includes appropriate measures with respect to actions by persons within its jurisdiction, in accordance with the requirements of international law.

Taking note of the aforementioned statement of _____, and in conformity with the declaration contained in Article 5 of the Charter of the Organization of American States, the United States Government affirms that its policy is to accord a scrupulous respect for the sovereignty, territorial integrity, and political independence of all the American Republics, including Cuba, expecting in return a like respect and faithful fulfillment of obligations.

ALTERNATIVE E

October 30, 1962

The United States and the other American Republics are bound together in solemn treaty commitments designed to maintain and promote the security and the peace of the Western hemisphere. The Inter-American Treaty of Reciprocal Assistance and the Charter of the Organization of American States set forth basic obligations and responsibilities incumbent on members of the Inter-American system. In conformity with its international duties, the Government of the United States will neither initiate nor permit aggression in this hemisphere.

DECLASSIFIED

ALTERNATIVE F ~~SECRET~~ October 30, 1962

In conformity with the undertaking proposed by President Kennedy in his letter addressed to Premier Khrushchev on October 27, 1962, the Government of the United States gives its assurances against an invasion of Cuba. As stated by the President, the United States believes that other nations of the Western hemisphere would be prepared to give similar assurances.

~~SECRET~~

ALTERNATIVE C

CONFIDENTIAL

October 30, 1962

The Government of the United States recalls the undertaking proposed by President Kennedy in his letter of October 27, 1962 to Premier Khrushchev that the United States would give assurances against an invasion of Cuba, upon the establishment of adequate arrangements through the United Nations to ensure the carrying out and continuation of commitments to remove from Cuba all weapons systems capable of offensive use and to halt the further introduction of such weapons systems into Cuba. The President in his letter expressed confidence that other nations of the Western Hemisphere would be prepared to do likewise. On October 28, 1962, the President replied to a letter from Premier Khrushchev of the same date and stated that he considered his letter of October 27 and Premier Khrushchev's reply of October 28 "as firm undertakings on part of both governments which should be promptly carried out." The Government of the United States renews and affirms its adherence to these undertakings.

CONFIDENTIAL